



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,242	07/30/2003	Donald DeCinque	TELVU-5001	9385

54698 7590 10/15/2008

RAYMOND R. MOSER JR., ESQ.

MOSER IP LAW GROUP

1030 BROAD STREET

2ND FLOOR

SHREWSBURY, NJ 07702

EXAMINER

LIN, JASON K

ART UNIT

PAPER NUMBER

2425

MAIL DATE

DELIVERY MODE

10/15/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/630,242	<b>Applicant(s)</b> DECINQUE, DONALD	
	<b>Examiner</b> JASON K. LIN	<b>Art Unit</b> 2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This office action is responsive to application No. 10/630,242 filed on 07/23/2008.

**Claims 1-8** are pending and have been examined.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/23/2008 has been entered.

#### ***Response to Arguments***

3. Applicant's arguments with respect to **Claims 1-8** have been considered but are moot in view of the new ground(s) of rejection. Although a new ground(s) of rejection has been made, some of applicant's arguments need to be addressed.

A) On P.8: line 42 – P.9: line 20, the applicant asserts that content taught by Scala are production-sequences of sounds and images that flow like a professional video, and the content taught by Levitan are internet files that are downloaded or downloadable to clients. In light of the content of Levitan being downloadable internet files and not being video-production sequences as taught by Scala, the Applicant submit that Levitan does not teach video-production sequences that can be updated at a time after creation of such video-production sequences... Accordingly, the applicants submit

Art Unit: 2425

that the combination of Scala and Levitan does not teach or suggest all the elements of the amended independent claim 1...

In response the examiner respectfully disagrees. Note that the keywords here in Scala is "... production-sequences of sounds and images that flow like professional video..." Chap 1 | P.10-11, Chap 3 | P.67-68, Chap 18 | P.7 of Scala clearly teaches that a production is defined by a script that specifies a series of events and their timing, that is made up of multiple content pages. Where each content page can be composed of picture size, text, visuals, video, audio, etc for a content page as taught in Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273 of Scala. Levitan teaches in Col 4: lines 24-36, Col 5: lines 40-53, Col 6: lines 3-33, Col 6: lines 53-57, Col 7: lines 43-49 that the broadcast server fetches updated content from the web servers to update content pages (referred to by applicant as internet files). In view of the above, Scala's content pages are only strung together to flow like professional video, but essentially each production is a sequence that is made up of multiple content pages. Both Scala and Levitan disclose content pages that contain information to be presented to the user. The sequences of Scala flow like video, but each page in the sequence is still an individual content page. The applicant's arguments are moot since the applicant's claims only call for "... a series of content pages... wherein at least a portion of at least one content page of the series of content page" comprises updatable content that is updatable at a time after creation of the at least one content page of the series of content pages," and do not call for updating of video production sequences, whereas

Art Unit: 2425

Scala provides a series of content pages that are displayed in a video like sequence, and Levitan provides updating of content pages. Thus Scala, in combination with Levitan teaches the claimed limitations.

B) In response to applicant's arguments on P.9: lines 21-24 regarding claim 7, the examiner respectfully disagrees. Please see examiner's response in part (A) above.

C) In response to applicant's arguments on P.9: lines 25-32 regarding claim 3, the examiner respectfully disagrees. Independent claim 1 has been addressed in part (A) of examiner's response above and as per the office action below, the limitations of claim 3 has been addressed. In addition webpages as disclosed by Brown are still content pages, therefore it can be applied to both Levitan and Scala as addressed above in examiner's response of part (A).

D) In response to applicant's arguments on P.10 - P.11: line 11 regarding claim 2, the examiner respectfully disagrees. Please see examiner's response in part (A) above.

E) In response to applicant's arguments on P.13: line 37 – P.14: line 8, the examiner respectfully disagrees. That particular limitation of Claim 4 states "broadcasting the series of content pages including the alert as a video signal over the plurality of channels." The claims do not explicitly specify how "the series of content pages" and "the alert" is broadcast over the video signal. Col 40: lines 2-3; Col 39: lines 21-25 of Rowe teaches the broadcast of the alert as a video signal over a plurality of channels and (Chap 19 | P.60-61) of Scala teaches broadcast of content pages over as

Art Unit: 2425

a video signal over a plurality of channels. Therefore in combination they teach the claimed limitations. Also see claim 4 as rejected below for added clarification.

F) In response to applicant's arguments on P.14: line 8 - P.16: line 14 regarding independent claim 4, please see examiner's response in parts (A) and (E) above. Also please see the office action below in regards to the current rejection of claim 4.

G) In response to applicant's arguments regarding claim 5, please see examiner's response in part (F) above and as per the office action below, the limitations of claim 5 has been addressed. In addition web pages as disclosed by Brown are still content pages, therefore it can be applied to both Levitan and Scala as addressed above in examiner's response of part (F).

H) In response to applicant's arguments on P.21: line 14 – P.23: line 12 regarding video sequences of Scala and internet files of Levitan, please see examiner's response in part (A). Also please see the rejection of claim 8 in the office action below.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1, 3, and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Scala (botmans.bk) in view of Levitan (7,092,999).

Consider **claim 1**, Scala teaches a method for creating a video signal for broadcast over a cable channel (Chap 1 | P.8; Chap 20 | P.22, 60-61), the method comprising:

creating a series of content pages using a graphical user interface (Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273 teaches utilizing the GUI to define different types of content such as picture size, text, visuals, video, audio, etc for a content page; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script.

*These pages were created with Scala as evidenced above in the following cited parts of each chapter) including:*

delivering the series of content pages via the network to a player at a cable headend (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. Chap 19 | P.60-61 teaches that the Players reside at a cable headend. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.32 teaches different communication technologies such as direct connect via null modem, network LAN, etc supported between the master station and the player. Intro | P.1 teaches that the content can be delivered to any room city, or another country);

Art Unit: 2425

scheduling broadcast of the series of content pages (Chap 18 teaches about scheduling the broadcast of content pages);

broadcasting the series of content pages as the video signal over the cable channel (Chap 19 | P.60-61).

Scala teaches at least one content page of the series of content pages (Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script), but does not explicitly teach wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page;

communication and transmission over the internet;

at the time of the scheduled broadcast of the series of content pages, automatically using the player to fetch updated content via the internet from an on-line content source unaffiliated with a party performing the delivering or the cable channel;

automatically updating the updatable content with the updated content;

and

broadcasting the updated content as the video signal over the cable channel.



In an analogous art Levitan teaches, wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page (Col 6: lines 17-26, 44-57 teaches updating of files {content pages}, by replacing previous files {content pages} with current ones. *Since the content pages are updated, replacing previous versions, that means they can be updated after the time of creation since the original content page that was created is updated*);

at the time of the scheduled broadcast of the series of content pages, automatically using the player to fetch updated content via the internet from an on-line content source unaffiliated with a party performing the delivering or the cable channel (web Server 4-Fig.1, broadcast server 1-Fig.1; Col 4: lines 24-36, Col 5: lines 40-53, Col 6: lines 3-33, Col 6: lines 53-57, Col 7: lines 43-49 teaches the broadcast server {player} fetching updated content from the web servers {on-line content source});

automatically updating the updatable content with the updated content (Col 6: lines 17-26, 44-48); and

broadcasting the updated content as the video signal over the cable channel (Col 6: lines 17-26, Col 7: line 53 – Col 8: line 15).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Scala's system to include wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page; at the time of the scheduled broadcast

of the series of content pages, automatically using the player to fetch updated content via the internet from an on-line content source unaffiliated with a party performing the delivering or the cable channel; automatically updating the updatable content with the updated content; and broadcasting the updated content as the video signal over the cable channel, as taught by Levitan, for the advantage of providing to the user the most up to date content without having to overload source servers from unicast requests, allowing all users to receive desired updated content easily and efficiently.

Levitan further teaches communication and transmission over the internet (Internet - Fig.1, Communication between broadcast server and web servers are via the internet; Col 4: lines 33-34).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Scala and Levitan to include, transmission over the internet, as further taught by Levitan, for the advantage of robust communication and delivery over a thriving and widely used delivery system.

Consider **claim 7**, Scala teaches a system for creating a video signal for broadcast over a cable channel (Chap 1 | P.8; Chap 20 | P.22, 60-61), the system comprising:

at least one graphical user interface for creating a series of content pages (Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2

Art Unit: 2425

| P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273 teaches utilizing the GUI to define different types of content such as picture size, text, visuals, video, audio, etc for a content page; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script.

*These pages were created with Scala as evidenced above in the following cited parts of each chapter);*

a network interface for delivering the series of content pages to a player at a cable headend (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. Chap 19 | P.60-61 teaches that the Players reside at a cable headend. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.32 teaches different communication technologies such as direct connect via null modem, network LAN, etc supported between the master station and the player. Intro | P.1 teaches that the content can be delivered to any room city, or another country);

a scheduler for scheduling broadcast of the series of content pages (Chap 18 teaches about scheduling the broadcast of content pages);

the cable channel for broadcasting the series of content pages as the video signal (Chap 19 | P.60-61).

Scala teaches at least one content page of the series of content pages (Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2

Art Unit: 2425

| P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script), but does not explicitly teach wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page;

communication and transmission over the internet;

an on-line content source unaffiliated with the at least one graphical user interface or the cable channel;

a player for automatically fetching, at the time of the scheduled broadcast of the series of content pages, updated content over the internet from the on-line content source, and for updating the updatable content with the updated content; and

the cable channel for broadcasting the at least one updated content page as the video signal.

In an analogous art Levitan teaches, wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page (Col 6: lines 17-26, 44-57 teaches updating of files {content pages}, by replacing previous files {content pages} with current ones. *Since the content pages are updated, replacing previous versions, that means they can be updated after the time of creation since the original content page that was created is updated*);

an on-line content source unaffiliated with the at least one graphical user interface or the cable channel (web server 4-Fig.1; broadcast server 1-Fig.1);

a player for automatically fetching, at the time of the scheduled broadcast of the series of content pages, updated content over the internet from the on-line content source (web Server 4-Fig.1, broadcast server 1-Fig.1; Col 4: lines 24-369, Col 5: lines 40-53, Col 6: lines 3-33, Col 6: lines 53-57, Col 7: lines 43-49 teaches the broadcast server {player} fetching updated content from the web servers {on-line content source}), and for updating the updatable content with the updated content (Col 6: lines 17-26, 44-48); and

the cable channel for broadcasting the updated content as the video signal (Col 6: lines 17-26, Col 7: line 53 – Col 8: line 15).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Scala's system to include wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page; communication and transmission over the internet; an on-line content source unaffiliated with the at least one graphical user interface or the cable channel; a player for automatically fetching, at the time of the scheduled broadcast of the series of content pages, updated content over the internet from the on-line content source, and for updating the updatable content with the updated content; and the cable channel for broadcasting the at least one updated content page as the video signal, as taught by Levitan, for the advantage of providing to the user the most up to date content without having to

overload source servers from unicast requests, allowing all users to receive desired updated content easily and efficiently.

Levitan further teaches communication and transmission over the internet (Internet - Fig.1, Communication between broadcast server and web servers are via the internet; Col 4: lines 33-34).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Scala and Levitan to include, transmission over the internet, as further taught by Levitan, for the advantage of robust communication and delivery over a thriving and widely used delivery system.

Consider **claim 3**, Scala and Levitan teaches wherein the on-line content source is comprised of at least one of a source for weather, news, traffic, financial, airport, health or entertainment information (Levitan - Col 5: lines 48-50 teaches that the information from the content source can be news, stock quotes, airport, etc).

6. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Scala (botmans.bk), in view of Levitan (7,092,999), and further in view of Brown et al. (US 7,167,875).

Consider **claim 2**, Scala and Levitan do not explicitly teach wherein at least one content page in the series of content pages includes programming code directing the player to the on-line content source.

In an analogous art Brown teaches, wherein at least one content page in the series of content pages includes programming code directing the player to the on-line content source (Col 6: lines 17-24).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Scala and Levitan to include wherein at least one content page in the series of content pages includes programming code directing the player to the on-line content source, as taught by Brown, for the advantage of providing an identified destination of a specific source where particular information can be found, simplifying and making the information retrieval process quicker and efficient.

7. **Claims 4-6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al. (US 6,792,615), in view of Scala (botmans.bk), in view of Levitan (7,092,999), and further in view of Nurick (US 2002/0002580).

Consider **claim 4**, Rowe teaches a method for issuing an alert over a plurality of channels selected from the group consisting of cable channels (Col 7: lines 3-6; Col 40: lines 2-4), over the air broadcast stations, direct broadcast satellite channels, and public and private closed-circuit video networks, the method comprising the steps of:

Art Unit: 2425

a first user creating the alert at at least one first graphical user interface (Col 19: lines 45-56 and col 45: lines 44-46 teaches software and hardware design and development processes that can be used to produce graphical weather presentations such as alerts);

delivering the alert via the network to an on-line content source affiliated with the first user (RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations to RCONs that are further connected to headend devices);

automatically forwarding to the plurality of players at the plurality channels (headends - Col 7: lines 3-6; Col 22: lines 12-14), the alert by fetching the alert from the on-line content source affiliated with the user (RCON 500 – Fig.1, 13c; Col 22: lines 12-14, 49-52); and

broadcasting the alert as a video signal over the plurality of channels (Col 40: lines 2-3; Col 39: lines 21-25).

Rowe does not explicitly teach communication and transmission over the internet;

a second user, unaffiliated with the first user, creating a series of content pages using at least one first graphical user interface, wherein at least one content page of the series of content pages comprises information for causing at least one of a plurality of players at the plurality of channels to query the on-line content source for the alert;



Art Unit: 2425

delivering the series of content pages via the internet to the plurality of players;

scheduling broadcast of the series of content pages;

fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages;

broadcasting the series of content pages as a video signal over the plurality of channels.

In an analogous art, Scala teaches a second user, unaffiliated with the first user, creating a series of content pages using at least one first graphical user interface (Chap 1 | P.8; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages. *Second user is different and not affiliated with the first user since they are using different interfaces and creating/setting up different types of information*);

delivering the series of content pages via network to a plurality of players (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.60-61 teaches that the Players reside at a cable headend. Chap 20 | P.32 teaches different communication technologies such as direct connect via null modem, network LAN, etc supported between the master station and the player. Intro | P.1 teaches that the content can be delivered to any room, city, or another country);

Art Unit: 2425

scheduling broadcast of the series of content pages (Chap 18 teaches about scheduling the broadcast of content pages);

broadcasting the series of content pages as a video signal over the plurality of channels (Chap 19 | P.60-61).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Rowe's system to include a second user, unaffiliated with the first user, creating a series of content pages using at least one first graphical user interface; delivering the series of content pages via network to a plurality of players; scheduling broadcast of the series of content pages; broadcasting the series of content pages as a video signal over the plurality of channels, as taught by Scala, for the advantage of providing users with the ability to create productions with various effects that can flow like a professional video, whether they are a one person or large department (Scala - Chap 1 | P.8) and having the productions organized and scheduled to be played at the specified times providing the users with great control.

Rowe and Scala do not explicitly teach communication and transmission over the internet;

wherein at least one content page of the series of content pages comprises information for causing at least one of a plurality of players at the plurality of channels to query the on-line content source for the alert;

fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages;

Levitan teaches fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages (web Server 4-Fig.1, broadcast server 1-Fig.1; Col 4: lines 24-369, Col 5: lines 40-53, Col 6: lines 3-33, Col 6: lines 53-57, Col 7: lines 43-49 teaches the broadcast server {player} fetching data from web servers {on-line content source} at the time of schedule broadcast of series of content pages).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe and Scala to include fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages, as taught by Levitan, for the advantage of providing to the user the most up to date important information without having to overload source servers from unicast requests, allowing all users to receive important information easily and efficiently.

Levitan further teaches communication and transmission over the internet (Internet - Fig.1, Communication between broadcast server and web servers are via the internet; Col 4: lines 33-34).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe, Scala, and Levitan to include, transmission over the internet, as further taught by Levitan, for the advantage of robust communication and delivery over a thriving and widely used delivery system.

Rowe, Scala, and Levitan teaches at least one content page of the series of content pages (Scala - Chap 1 | P.8 teaches allowing a user to utilize a PC to

Art Unit: 2425

create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script), and an on-line content source containing alert information (Rowe - RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations to RCONs that are further connected to headend devices) at least one of a plurality of players at the plurality of channels (Rowe - headends - Col 7: lines 3-6; Col 22: lines 12-14; Levitan - broadcast server 1-Fig.1), but does not explicitly teach wherein at least one content page comprises information for causing to query the on-line content source.

In an analogous art Nurick teaches, at least one content page comprises information for causing at least one of players to query the on-line content source for data (server 20 – Fig.1; Paragraph 0032, 0034, 0038, 0040, 0044 teaches web pages {content pages} that run on the server side that contain hypertext links to the source, enabling the web page to update itself automatically).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe, Scala, and Levitan to include at least one content page comprises information for causing at least one of players to query the on-line content source for data, as taught by Nurick, for the advantage of providing an identified destination of a specific source where particular

Art Unit: 2425

information can be found, simplifying and making the information retrieval process quicker and efficient.

Consider **claim 5**, Row ,Scala, Levitan, and Nurick teach wherein at least one content page of the series of content pages includes programming code directing the at least one of the plurality of players to the on-line content source (Scala - Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script. Rowe - RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations to RCONs that are further connected to headend devices. Nurick - server 20 – Fig.1; Paragraph 0032, 0034, 0038, 0040, 0044 teaches web pages {content pages} that run on the server side that contain hypertext links to the source, enabling the web page to update itself automatically).

Consider **claim 6**, Rowe, Scala, Levitan, and Nurick teach wherein the alert is comprised of at least one of a FEMA alert, an Amber alert, a Red Cross request, a Homeland Security alert and a NOAA warning (Rowe - Col 19: lines

Art Unit: 2425

45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 30: lines 4-10 teaches NOAA warnings).

8. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al. (US 6,792,615), in view of Scala (botmans.bk), in view of Levitan (7,092,999), in view of Nurick (US 2002/0002580), and further in view of Plotnick et al. (US 2002/0035731).

Consider **claim 8**, Rowe teaches a system for issuing an alert over a plurality of channels selected from the group consisting of cable channels (Col 7: lines 3-6; Col 40: lines 2-4), over the air broadcast stations, direct broadcast satellite channels, and public and private closed-circuit video networks, the system comprising:

at least one first graphical user interface that allows at least one first user to create the alert (Col 19: lines 45-56 and col 45: lines 44-46 teaches software and hardware design and development processes that can be used to produce graphical weather presentations such as alerts);

a first network interface for delivering the alert via the network to an on-line content source affiliated with the at least one first user (RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations to RCONs that are further connected to headend devices);

a plurality of players for automatically forwarding to the plurality channels (headends - Col 7: lines 3-6; Col 22: lines 12-14), the alert by fetching the alert

Art Unit: 2425

from an on-line content source (RCON 500 – Fig.1, 13c; Col 22: lines 12-14, 49-52); and

the plurality of channels for broadcasting the alert as a video signal (Col 40: lines 2-3; Col 39: lines 21-25).

Rowe does not explicitly teach communication and transmission over the internet;

at least one second graphical user interface for creating a series of content pages, wherein the at least second graphical user interface is associated with at least one second user, wherein the at least one first and at least one second users are unaffiliated, and wherein at least one content page of the series of content pages comprises information for causing a query of the on-line content source for the alert;

a second network interface for delivering the series of content pages over the network to a plurality of players at the plurality of channels;

a scheduler for scheduling the broadcast of the series of content pages;

fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages, fetched based upon the information for causing a query of the on-line content source, and wherein the alert is inserted into the series of content pages; and

the plurality of channels for broadcasting the series of content pages as a video signal.

Art Unit: 2425

In an analogous art Scala teaches, at least one second graphical user interface for creating a series of content pages, wherein the at least second graphical user interface is associated with at least one second user, wherein the at least one first and at least one second users are unaffiliated (Chap 1 | P.8; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages. *Second user is different and not affiliated with the first user since they are using different interfaces and creating/setting up different types of information*);

a second network interface for delivering the content pages over the network to a plurality of players at the plurality of channels (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. Chap 19 | P.60-61 teaches that the Players reside at a cable headend at the plurality of channels. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7);

a scheduler for scheduling the broadcast of the series of content pages (Chap 18 teaches about scheduling the broadcast of content pages);

the plurality of channels for broadcasting the series of content pages as a video signal (Chap 19 | P.60-61).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Rowe's system to include at least one second graphical user interface for creating a series of content pages, wherein the at least second graphical user interface is associated with at least one second user, wherein the



Art Unit: 2425

at least one first and at least one second users are unaffiliated; a second network interface for delivering the content pages over the network to a plurality of players at the plurality of channels; a scheduler for scheduling the broadcast of the series of content pages; the plurality of channels for broadcasting the series of content pages as a video signal, as taught by Scala, for the advantage of providing users with the ability to create productions with various effects that can flow like a professional video, whether they are a one person or large department (Scala - Chap 1 | P.8) and having the productions organized and scheduled to be played at the specified times providing the users with great control.

Rowe and Scala do not explicitly teach communication and transmission over the internet;

wherein at least one content page of the series of content pages comprises information for causing a query of the on-line content source for the alert;

fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages, fetched based upon information contained within the series of content pages and the alert is inserted into the series of content pages;

Levitan teaches fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages (web Server 4-Fig.1, broadcast server 1-Fig.1; Col 4: lines 24-369, Col 5: lines 40-53, Col 6: lines 3-33, Col 6: lines 53-57, Col 7: lines 43-49 teaches the

broadcast server {player} fetching data from web servers {on-line content source} at the time of schedule broadcast of series of content pages).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe and Scala to include fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages, as taught by Levitan, for the advantage of providing to the user the most up to date important information without having to overload source servers from unicast requests, allowing all users to receive important information easily and efficiently.

Levitan further teaches communication and transmission over the internet (Internet - Fig.1, Communication between broadcast server and web servers are via the internet; Col 4: lines 33-34).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe, Scala, and Levitan to include, transmission over the internet, as further taught by Levitan, for the advantage of robust communication and delivery over a thriving and widely used delivery system.

Rowe, Scala, and Levitan teach at least one content page of the series of content pages (Scala - Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script), and an on-line content

Art Unit: 2425

source containing alert information (Rowe - RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations to RCONs that are further connected to headend devices) at least one of a plurality of players at the plurality of channels (Rowe - headends - Col 7: lines 3-6; Col 22: lines 12-14; Levitan - broadcast server 1-Fig.1), but do not explicitly teach wherein at least one content page of the series of content pages comprises information for causing a query of the on-line content source for the alert;

fetching based upon the information for causing a query of the o-line content source, and wherein the alert is inserted into the series of content pages.

In an analogous art Nurick teaches, wherein at least one content page comprises information for causing a query of the on-line content source for data; fetching based upon information contained within the series of content pages and the data is inserted into the series of content pages (server 20 – Fig.1; Paragraph 0032, 0034, 0038, 0040, 0044 teaches web pages {content pages} that run on the server side that contain hypertext links to the source, enabling the web page to update itself automatically).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe, Scala, and Levitan to include wherein at least one content page of the series of content pages comprises information for causing a query of the on-line content source for data; fetching based upon the information for causing a query of the on-line content source, and wherein the

Art Unit: 2425

data is inserted into the series of content pages, as taught by Nurick, for the advantage of providing an identified destination of a specific source where particular information can be found, simplifying and making the information retrieval process quicker and efficient, and readily presenting to the user organized pages containing desired information, allowing the user to easily read and acquire information.

Rowe, Scala, Levitan, Nurick do not teach the alert is inserted into the series content pages.

In an analogous art Plotnick teaches, the alert is inserted into the series content pages (Paragraph 0008, 0016, 0021, 0022).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe, Scala, Levitan, Nurick to include the alert is inserted into the series content pages, as taught by Plotnick, for the advantage of presenting to the user desired and urgent information in a organized format, allowing the user to easily view information at their disposal.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON K. LIN whose telephone number is (571)270-1446. The examiner can normally be reached on Mon-Fri, 9:00AM-6:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian T. Pendleton can be reached on (571)272-7527. The fax phone

Art Unit: 2425

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason Lin/  
Examiner 2425

/Brian T. Pendleton/  
Supervisory Patent Examiner, Art Unit 2623